IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Diane K. Smith

FOR : Software for Financial Institution Monitoring and Management

SERIAL NO. : 09/965,981

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EXAMINER : Jeffrey C. Pwu

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DECLARATION UNDER 37 CFR 1.131

Box AF
Commissioner for Patents
Washington, D.C. 20231

SIR:

I, Diane K. Smith, hereby declare:

1.   I am the inventor of U.S. Patent Application 09/965,981 entitled "Software for Financial Institution Monitoring and Management," this application has been assigned to Federal Reserve Bank.

2.   Exhibit 1 is an Enhancement Tracking Document showing that the subject matter of claims 1-12, the method for assessing risk for a financial institution was completed and moved into production on August 4, 1999.

3.   Exhibit 2 is a training document for the Risk Assessment module, the subject matter of claims 1-12 which was completed in December 1999. This document gives an overview of the system, training information, and screen snapshots of the method in operation.

4.   Exhibit 3 is a screen snapshot of the Headlines page, which is displays the Alerts database and is the subject matter of claims 13-14, 16-18, and 26-28 and was implemented on May 4, 1999.

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5. The subject matter of claims 15, 28-29, and 18-25 was implemented on September 29, 2000. Exhibit 4 is a screen snapshot showing those features from a Pending Project screen. On the right column after the comments section, the subject matter of claims 15, 28-29, early warning alerts is the last line under the heading MAJOR INITIATIVES and the subject matter of claims 18-25 NED Forms is shown as the third line under MAJOR INITIATIVES.

6. Exhibits 5, 6, and 7 are copies of announcements for the release of SuperLink V 2.7 on September 29, 2000 announcing the additional features added to the software, including the features of claims 15, 28-29 and 18-25.

7. Exhibit 8 is a block, flow diagram showing the relationships between the various databases when version 2.7 was released on September 29, 2000.

8. Exhibit 9 is a copy of a document created on February 24, 2000 that described the Alerts database and contains sample screen snapshots. This document further illustrates that the Alerts database contemplated a storage location for all alerts, generating an alert when a risk factor exceeded a predetermined threshold (claim 4), defining a threshold parameter (claim 5 and claim 14) wherein the threshold parameter comprises an early warning and a normal threshold parameters (claim 6), means for displaying the alert on the headlines page (claim 8 and claim 15).

9. A document giving a tour of the NED Database (National Examination Database) which was created February 24, 2000 is attached as Exhibit 10. This is the subject matter of claims 18-29. The NED Entry database is a workflow application which supports the creation and approval of NED examination forms into NED. This example illustrates the method for tracking at least one of an examination and an inspection of a financial institution utilizing a computer based system, the subject matter of claims 18-29.

10. Exhibit 11 is document for communicating the various parameters used by the system which is relevant to claims 1-12, 13-14, and 16-17. This document was created on or before February 24, 2000.

11. Finally, exhibit 12 is a copy of the General Description of SuperLink Versions and Enhancements generated during the normal course of business.
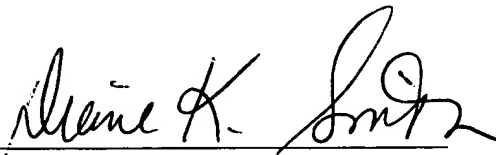
12. Thus, as can be seen from the above stated facts coupled with the exhibits submitted herein, the subject matter of claims 1-12 was reduced to practice on August 4, 1999, the subject matter of claims 13-14, 16-17 and 26-28 was reduced to practice on May 4, 1999, the subject matter of claims 15, 28-29 on September 29, 2000, and the subject matter of claims 18-25 was reduced to practice on September 29, 2000. Revisions and enhancements continued until the date the provisional application was filed on June 8, 2001 and continued afterwards.

13. It should be noted that all of the data in the attached exhibits were screen snapshots used for training purposes, and is fictitious.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on April 2, 2003 in Cleveland, Ohio.

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Diane K. Smith